

REMARKS

In the Office Action mailed July 31, 2006 from the United States Patent and Trademark Office, the Examiner rejected claims 1-11 under 35 U.S.C. § 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; claims 1-8 and 10-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Rosenbloom-Kerzner (2002); claims 1-11 are rejected under 35 U.S.C. § 103(c) as being unpatentable over Rosenbloom-Kerzner (2002) in view of Flackhart et al. (WO 9307901 A1).

Office Communication

In the pending office communication, the Examiner indicated that Claim 7 added new matter into the claim and deleted matter which had not been correctly underlined or struck through. Claim 7 as originally filed reads: “A method for selectively inhibiting estrogen production and providing estrogenic effects, the method comprising using a processed extract from *Morinda citrifolia* leaves in the form of a dietary supplement as an aromatase inhibitor to control production of estrogen in a body.” On May 3, 2006 Applicant elected to prosecute claims 1-11. On October 30, 2006 Applicant amended claim 7 to read: “7. A method for selectively inhibiting estrogen production and providing estrogenic effects, the method comprising ingesting using a processed product comprising: quercetin present in an amount between about 0.1 and 10 percent by weight; and rutin present in an amount between about 0.1 and 10 percent by weight in the form of a dietary supplement as an aromatase inhibitor to control production of estrogen in a body.”

In Applicant’s response filed January 25, 2007, the Applicant left claim 7 in underlined/strike through format and failed to change the status identifier from “currently amended” to “previously presented”. The Applicant has now removed the underline/strike

through and has changed the status identifier to “previously presented”. Accordingly, Applicant thanks the Examiner for the office communication and attendant telephonic clarification, and believes that the Examiner’s concerns with claim 7 have been properly handled at this time.

Specification

In the pending action, the Examiner indicated that pages 22 and 23 of to the specification contained figures which should be presented as official drawings. Applicant is in the process of preparing formal drawings for submission in the above referenced case. When such drawings are prepared, applicant will submit them with an amendment to the specification to include a brief description of the drawings which does not introduce new matter into the disclosure.

Rejections under 35 U.S.C. § 112

Claims 1-11 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has amended the claims of the present invention to improve their clarity. Drawing the claims to a method for administering a product to a patient. Accordingly, Applicant respectfully requests that the § 112 rejections be withdrawn.

Rejections under 35 U.S.C. § 102(b) and 103(a):

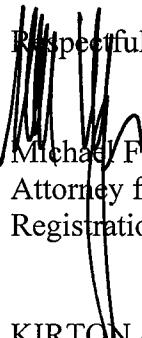
Applicant respectfully submits the claims provided herein, are not anticipated or rendered obvious by the cited references. Verdegall Bros. v. Union Oil Co. of California, 814 F. 2d 628, 631 (Fed. Cir. 1987). The independent claims of the present invention have been amended to recite a limitation for quercetin present in an amount between about 0.1 and about 10 percent by weight; and rutin present in an amount between about 0.1 and 10 percent by weight. The art cited fails to teach or fairly suggest these claim limitations. Accordingly, Applicant respectfully requests that the section 102 and 103 rejections be withdrawn.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and
that the claims are now in condition for allowance. Accordingly, Applicant requests
favorable reconsideration. If the Examiner has any questions or concerns regarding this
5 communication, the Examiner is invited to call the undersigned.

DATED this 14 day of May, 2007.

Respectfully submitted,


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